



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

October 14, 2021

VIA ECF

The Honorable Katherine Polk Failla
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Revanche, et al. v. Mayorkas, et al.*, 21-cv-3345 (KPF)

Dear Judge Failla:

This Office represents the government in the above-referenced action in which plaintiffs seek an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate plaintiffs’ Petition for Alien Relative (Form I-130) and Application to Register Permanent Residence or Adjust Status (Form I-485). I write respectfully, with plaintiffs’ consent, to request a 60-day extension of the government’s time respond to the complaint, *i.e.*, from the current due date of October 22, 2021 to December 21, 2021. This is the government’s third request for an extension. The Court granted the government’s prior extension requests on June 21 and August 16, 2021. *See* ECF Nos. 13, 15.

The extension is requested because plaintiffs’ counsel has informed this Office that the Immigration Court recently granted plaintiffs’ motion to terminate proceedings and that plaintiffs are preparing to request that USCIS reopen the I-485 application. USCIS has agreed to act expeditiously upon receiving plaintiffs’ request. Therefore, the 60-day extension is requested to allow the parties to try to resolve this case without the need for court intervention.

For the same reasons as discussed above, the government also respectfully requests that the Court adjourn the initial pretrial conference presently scheduled for November 19, 2021 to a date at least two weeks after December 21, 2021. This is the government’s third request to adjourn the initial conference, and plaintiffs consent to this request.

I thank the Court for its consideration of these requests.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

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cc: Counsel of record (via ECF)

Application GRANTED. Defendants' time to respond shall be extended to December 21, 2021. Further, the initial pretrial conference scheduled for November 19, 2021, is hereby adjourned to January 13, 2022, at 10:00 a.m. The conference will be held telephonically. At the scheduled date and time, the parties are to call (888) 363-4749 and enter access code 5123533. Please note, the conference will not be available until 10:00 a.m.

Date: October 15, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE